



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of

MAY, Dennis J. *et al.*

Serial No.: 10/725,109

Filed: December 1, 2003

For: Automatic Netting Packaging
Machine

Group Art Unit: 3721

Examiner: Sipos, John

Atty. Docket No. 010930.00113

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

We, Dennis J. May and Samuel D. Griggs, hereby declare as follows:

1) We are joint inventors of the above-captioned application, and submit this declaration in response to the Office Action mailed September 8, 2004 ("the Office Action").

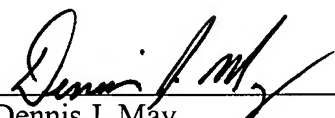
2) We are joint inventors of U.S. Patent No. 6,729,102 ("the '102 patent"), filed January 10, 2003. The '102 patent was cited in the Office Action against the above-captioned application.

3) The relevant portions of the '102 patent cited by the Examiner in the Office Action to reject the above-captioned application were derived by us and in conjunction with the other co-inventors of the '102 patent.

4) Consequently, the invention of the '102 patent was not "by another" as required under 35 U.S.C. 102(e).

5) We declare that all statements made herein are of our own knowledge and are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


Dennis J. May

12.7.04
Date


Samuel D. Griggs

12-7-2004
Date